

Perkins Public Schools

Our mission: Perkins Schools....an exceptional education
in a safe, caring environment.



Jim Gunner, *Superintendent*

Lisa M. Crescimano, *Treasurer*

March 29, 2010

VIA HAND DELIVERY

Mrs. Carol Smith
217 Michigan Avenue
Sandusky, Ohio 44870



Re: Relief from Duties with Pay

Dear Mrs. Smith:

You are hereby relieved from your duties with pay pending the outcome of my investigation into allegations that you engaged in inappropriate discussions with your high school social studies class regarding pornography.

You are directed not to appear on the premises of the Board of Education or at Board events without my express permission until further notice. You are also directed not to discuss this matter with any students of the District, or with any of the staff of the District other than those staff members who are Union officers for the purpose of assisting you in this matter. You are further directed to turn in all District building keys to me immediately.

You are further directed to be available by telephone during work hours so that I, or a District representative, may contact you relative to this investigation.

Very truly yours,

James Gunner
Superintendent
Perkins Local School District

cc: Mr. Chris Gasteier, Principal
John Gerber, Perkins Education Association President

RECEIPT ACKNOWLEDGED BY:

Carol Smith

*copy 1
also
contacted*

*Lesson Plans
asked for,
but never
received.
Carol promised
husband would
drop off, we
never received*

Perkins Public Schools

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Jim Gunner, *Superintendent*

Lisa M. Crescimano, *Treasurer*

March 30, 2010

VIA HAND DELIVERY

Mrs. Carol Smith
217 Michigan Avenue
Sandusky, Ohio 44870

Dear Mrs. Smith:

I have scheduled a disciplinary conference with you for Thursday, April 1, 2010 at 4:00 p.m. in my office at the Administrative Service Building pursuant to *Article XLV – Progressive Discipline* of the Negotiated Agreement between the Perkins Education Association and the Perkins Local School District Board of Education. This hearing may result in disciplinary action being taken against you up to and including a recommendation for your termination from employment pursuant to O.R.C. Section 3319.16 for just cause.

Specifically, the disciplinary conference will be held to discuss allegations that you:

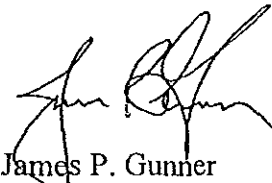
- engaged in inappropriate discussions with your high school social studies class regarding pornography.
- repeatedly “dozed off” for several minutes at a time while supervising students during 5D Study Hall
- repeatedly arrived tardy to your 5th Period History Class.

On various dates during the 2007-08 school year high school administrators verbally warned you about falling asleep while responsible for the supervision of students. On October 6, 2009 Mr. Stephen Finn, Briar Middle School principal issued a written reprimand to you for “unprofessional conduct, more specifically sleeping while responsible for the supervision of students at Briar Middle School”. On April 2, 2009, you received a three (3) day unpaid suspension for “failure to be present at Briar Middle School for your assigned duties on Wednesday, February 25, 2009”. On June 19, 2009 you received a ten (10) day unpaid suspension for “(1) your being tardy to your assigned duty of observing Social Studies classes on June 4, 2009; (2) your falling asleep during multiple Social Studies classes that you had been scheduled to observe; and (3) your not attending your assigned duty of observing a study hall subsequent to the Social Studies classes”. Finally, on July 8, 2009 you received a payroll deduction for failing to stay awake during professional development training held on Tuesday, June 16th and Wednesday, June 17th.

These new allegations, if true, indicate a continued and repeated pattern of unprofessional conduct that cannot be tolerated.

Pursuant to *Article XLV – Progressive Discipline, Section 45.05 B Conference* – you have the right to have two association representatives present with you at this disciplinary conference.

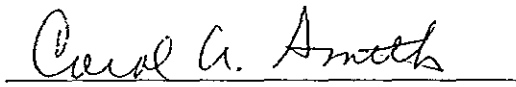
Sincerely,



James P. Gunner
Superintendent

Cc: Mr. Chris Gasteier, Principal, Perkins High School
Mr. John Gerber, PEA President
Personnel File – Mrs. Carol Smith

Receipt Acknowledged:


Carol Smith

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Jim Gunner, *Superintendent*

Lisa M. Crescimano, *Treasurer*

April 5, 2010

Mrs. Carol Smith
217 Michigan Avenue
Sandusky, Ohio 44870

Dear Mrs. Smith:

I have scheduled a second disciplinary conference with you for Monday, April 12, 2010 at 4:00 p.m. in my office at the Administrative Service Building pursuant to *Article XLV – Progressive Discipline* of the Negotiated Agreement between the Perkins Education Association and the Perkins Local School District Board of Education. This hearing may result in disciplinary action being taken against you up to and including a recommendation for your termination from employment pursuant to O.R.C. Section 3319.16 for just cause.

Specifically, the disciplinary conference will be held to discuss allegations that you:

- engaged in inappropriate discussions with your high school social studies class regarding pornography.
- repeatedly “dozed off” for several minutes at a time while supervising students during 5D Study Hall
- repeatedly arrived tardy to your 5th Period History Class.
- Falling asleep during Academic Team Practice on 1/18/10.

On various dates during the 2007-08 school year high school administrators verbally warned you about falling asleep while responsible for the supervision of students. On October 6, 2009 Mr. Stephen Finn, Briar Middle School principal issued a written reprimand to you for “unprofessional conduct, more specifically sleeping while responsible for the supervision of students at Briar Middle School”. On April 2, 2009, you received a three (3) day unpaid suspension for “failure to be present at Briar Middle School for your assigned duties on Wednesday, February 25, 2009”. On June 19, 2009 you received a ten (10) day unpaid suspension for “(1) your being tardy to your assigned duty of observing Social Studies classes on June 4, 2009; (2) your falling asleep during multiple Social Studies classes that you had been scheduled to observe; and (3) your not attending your assigned duty of observing a study hall subsequent to the Social Studies classes”. Finally, on July 8, 2009 you received a payroll deduction for failing to stay awake during professional development training held on Tuesday, June 16th and Wednesday, June 17th.

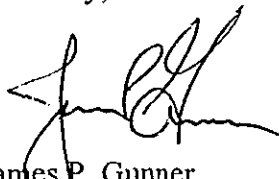
A second conference to discuss these allegations is being held to address the concern of your legal representative that I would use student statements and my notes from those statements in making my determination of disciplinary action without you and your legal representative having access to these same statements and notes. I have forwarded to your legal representative all student statements taken from students in your 5th period History class, as well as the notes that either I or Mr. Gasteier took while interviewing these students. In addition, I have forwarded a copy of your personnel file and the physician's statement related to your return to work this fall as requested by your legal representative.

I would like to follow up on statements made by both you and your legal representative during the first disciplinary hearing. In addition, new information has come to my attention that an accusation was made against you regarding falling asleep while responsible for an Academic Team practice on January 18, 2010. Since this information has just been revealed to me, I would like to question you about this incident as well.

These new allegations, if true, indicate a continued and repeated pattern of unprofessional conduct that cannot be tolerated.

Pursuant to *Article XLV – Progressive Discipline, Section 45.05 B Conference* – you have the right to have two association representatives present with you at this disciplinary conference.

Sincerely,



James P. Gunner
Superintendent

Cc: Mr. Chris Gasteier, Principal, Perkins High School
Mr. John Gerber, PEA President
Personnel File – Mrs. Carol Smith

Receipt Acknowledged:

Carol Smith

Perkins Public Schools

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Jim Gunner, *Superintendent*

Lisa M. Crescimano, *Treasurer*

April 13, 2010

VIA HAND DELIVERY

Mrs. Carol Smith
217 Michigan Avenue
Sandusky, Ohio 44870

Re: Recommendation of Termination of Teaching Contract

Dear Mrs. Smith:

On April 1, 2010, at 3:00 p.m. I met with you and your Perkins Education Association ("PEA") representation to conduct a disciplinary conference. During that meeting, your representation requested that the conference be concluded at a later date so that you could respond to certain evidence that was discussed during that conference. As such, the conclusion of the disciplinary conference was scheduled for April 12, 2010 at 4:00 p.m. Neither you nor your PEA representation appeared to further challenge the evidence discussed during the April 1, 2010 conference. As such, I will consider the disciplinary conference to be concluded as of April 12, 2010 and hereby render the following disposition.

I will recommend that the Board of Education adopt a resolution at its regular meeting scheduled for April 14, 2010 at 6:00 p.m. at Perkins High School, Room 805 to consider the termination of your teaching contract on the basis of good and just cause under Article XLV of the Negotiated Agreement between the Board of Education and the PEA, and O.R.C. §3319.16. Further, I will further recommend that the Board suspend you from duties without pay until these proceedings are concluded, as set forth under O.R.C. §3319.16.

The specification of grounds for this recommendation is as follows:


1. Your engaging in inappropriate discussions with your high school social studies class regarding pornography;
2. Your repeatedly "dozing off" for several minutes at a time while supervising students during 5D Study Hall, thereby continuing a pattern of sleeping on the job and engaging in unprofessional conduct; and,

3. Your repeatedly arriving tardy to your 5th Period History Class, thereby (a) leaving your students unattended, and (b) continuing a pattern of being tardy for your assigned duties and engaging in unprofessional conduct.

On various dates during the 2007-08 school year high school administrators verbally warned you about falling asleep while responsible for the supervision of students. On October 6, 2009 Mr. Stephen Finn, Briar Middle School principal issued a written reprimand to you for "unprofessional conduct, more specifically sleeping while responsible for the supervision of students at Briar Middle School". On April 2, 2009, you received a three (3) day unpaid suspension for "failure to be present at Briar Middle School for your assigned duties on Wednesday, February 25, 2009". On June 19, 2009 you received a ten (10) day unpaid suspension for "(1) your being tardy to your assigned duty of observing Social Studies classes on June 4, 2009; (2) your falling asleep during multiple Social Studies classes that you had been scheduled to observe; and (3) your not attending your assigned duty of observing a study hall subsequent to the Social Studies classes". Finally, on July 8, 2009 you received a payroll deduction for failing to stay awake during professional development training held on Tuesday, June 16th and Wednesday, June 17th. Such behavior demonstrates a pattern of unprofessional conduct that cannot be tolerated.

This matter is subject to ongoing review by the Administration. If any additional information becomes known to the Administration and/or Board of Education warranting supplementation of the specifications, these facts will be made available to you as soon as possible.

Very truly yours,


James P. Gunner, Superintendent
Perkins Local School District

cc: Airica Clay, Ohio Education Association
Robert Myer, PEA President
Personnel File

*Letter received 12:45 pm
Carol Smith
April 18, 2010*

Perkins Public Schools

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Jim Gunner, *Superintendent*

Lisa M. Crescimano, *Treasurer*

April 14, 2010

VIA HAND DELIVERY

Mrs. Carol Smith
217 Michigan Avenue
Sandusky, Ohio 44870

Re: Recommendation of Termination of Teaching Contract

Dear Mrs. Smith:

On April 14, 2010, at 1:00 p.m. I met with you and your Perkins Education Association ("PEA") representation to conduct a disciplinary conference, a follow up to a conference held on Thursday, April 1, 2009 at 3:00 p.m. I now consider the disciplinary conference to be concluded as of April 14, 2010 and hereby render the following disposition.

I will recommend that the Board of Education adopt a resolution at its regular meeting scheduled for April 14, 2010 at 6:00 p.m. at Perkins High School, Room 805 to consider the termination of your teaching contract on the basis of good and just cause under Article XLV of the Negotiated Agreement between the Board of Education and the PEA, and O.R.C. §3319.16. Further, I will further recommend that the Board suspend you from duties without pay until these proceedings are concluded, as set forth under O.R.C. §3319.16.

The specification of grounds for this recommendation is as follows:

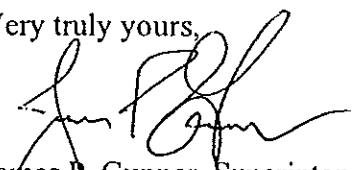
1. Your engaging in inappropriate discussions with your high school social studies class regarding pornography;
2. Your repeatedly "dozing off" for several minutes at a time while supervising students during 5D Study Hall, thereby continuing a pattern of sleeping on the job and engaging in unprofessional conduct; and,

3. Your repeatedly arriving tardy to your 5th Period History Class, thereby (a) leaving your students unattended, and (b) continuing a pattern of being tardy for your assigned duties and engaging in unprofessional conduct.

On various dates during the 2007-08 school year high school administrators verbally warned you about falling asleep while responsible for the supervision of students. On October 6, 2009 Mr. Stephen Finn, Briar Middle School principal issued a written reprimand to you for "unprofessional conduct, more specifically sleeping while responsible for the supervision of students at Briar Middle School". On April 2, 2009, you received a three (3) day unpaid suspension for "failure to be present at Briar Middle School for your assigned duties on Wednesday, February 25, 2009". On June 19, 2009 you received a ten (10) day unpaid suspension for "(1) your being tardy to your assigned duty of observing Social Studies classes on June 4, 2009; (2) your falling asleep during multiple Social Studies classes that you had been scheduled to observe; and (3) your not attending your assigned duty of observing a study hall subsequent to the Social Studies classes". Finally, on July 8, 2009 you received a payroll deduction for failing to stay awake during professional development training held on Tuesday, June 16th and Wednesday, June 17th. Such behavior demonstrates a pattern of unprofessional conduct that cannot be tolerated.

This matter is subject to ongoing review by the Administration. If any additional information becomes known to the Administration and/or Board of Education warranting supplementation of the specifications, these facts will be made available to you as soon as possible.

Very truly yours,



James R. Gunner, Superintendent
Perkins Local School District

cc: Airica Clay, Ohio Education Association
Robert Myer, PEA President
Personnel File

*I received this on April 18th at 2:00 p.m.,
Carol A. Smith.*